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May 13, 2008

Mr. Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Mr. Jordan,

The enclosed material is for your consideration in response to your April 18, 2008 letter regarding MUR 5996.

Sincerely,

A handwritten signature in black ink, appearing to read "David Katsel".

David Katsel
Treasurer

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Tim Bee for Congress

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MUR 5996

**RESPONSE OF TIM BEE FOR CONGRESS,
DAVID KATSEL AS TREASURER, TO COMPLAINT**

Tim Bee for Congress, David Katsel as treasurer (hereinafter "Respondents"), hereby respond to the complaint in the above-captioned Matter Under Review. Because the complaint lacks merit, Respondent hereby respectfully requests that the complaint be dismissed.

I. BACKGROUND

Tim Bee is an Arizona State Senate President, and is currently the Republican nominee for the United States Congress for the 8th congressional district in Arizona. The complainant, the Democratic Congressional Campaign Committee, is a national party of the Democratic Party whose central purpose is to defeat Republican candidates like Senator Bee.

II. ANALYSIS

The complainant's central allegation concerns a television advertisement aired by an outside group. Short on legal analysis, but long on rhetoric, the complaint fails to state

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a violation by Respondents, and thus is obviously a political ploy by the Democrats to secure a quick headline.

Much of the complaint does not even concern the Bee campaign – it seems that the only reason the campaign is mentioned is simply to add to its political potency. The complaint takes issue with the content of the outside group's ad, claiming that it constitutes express advocacy (it does not – instead, the ad appears to be nothing more than constitutionally-protected grassroots issue advocacy), that the outside group may be a corporation, and that the ad lacks proper disclaimers. The closest the complaint gets to an allegation against the Bee campaign is stating in conclusory fashion that the campaign “plainly” accepted a corporate contribution – why it is “plain,” the Democratic Party never says, and there is no additional elaboration – it does not allege any sort of coordination, let alone any knowledge of the ad in question.

Instead, the best the complaint can muster is the legally insignificant and semi-incoherent accusation (again, with no sort of elaboration, explanation or factual support) that “the circumstances” show “no effort [by Bee] to limit his involvement in it.” Frankly, we have no idea what this means – there is no accusation (nor could there be) that Bee or the campaign had any involvement in the creation or dissemination of the ad whatsoever. Thus, not even the Democrats can accuse Bee or the campaign of impermissible coordination – in fact, the term appears nowhere in the complaint.

In short, neither Senator Bee nor his campaign had any involvement in the creation or dissemination of the ad in question; thus, the complaint fails to allege a violation with respect to Respondents.

III. CONCLUSION

The complaint lacks merit because the complainant is unable to cite to facts indicating that Tim Bee for Congress has violated the Act. Accordingly, Respondents respectfully request that the complaint be dismissed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Katsel", written in a cursive style.

David Katsel
Treasurer, Tim Bee for Congress